THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 19614 of 2007

Date:17-09-2007

Between:

G. Kishen Rao

.. PETITIONER

AND

The Tahsildar, Marredpally **.. RESPONDENT**

ORDER:

Petitioner seeks a writ of mandamus to declare the action of the respondent in interfering with the petitioner's rights and possession of Plot No.151, an extent of 500 square yards, situated in Dhanalaxmi Cooperative Housing Society, Sy.No.74/7, East Marredpally, Secunderabad, as illegal and arbitrary.

It is the case of the petitioner that himself and his wife purchased Plot No.151, an extent of 500 square yards, situated in Dhanalaxmi Cooperative Housing Society, Sy.No.74/7, East Marredpally, Secunderabad.

It is stated that the LGC No.167 of 1997 is pending on the file of the Special Court constituted under the provisions of A.P. Land Grabbing (Prohibition) Act, 1982 in respect of the entire land in Sy.No.74/7 and even before the land grabbing case is disposed of, the respondent is threatening to dispossess the petitioner from the suit land in question.

I am not inclined to express any opinion with regard to the right, title and claim of the petitioner. But, however, as the land grabbing case is pending, I am of the opinion that it is open for the petitioner and his wife to get implead themselves in the said land grabbing case or the respondent can implead them in the said land grabbing case. Whether the petitioner is impleaded or not, I am of the opinion that as long as LGC No.167 of 1997 is pending on the file of the Special Court, it may not be just and proper to dispossess the petitioner from the said land by the respondent.

Accordingly, the writ petition is disposed of directing the respondent not to dispossess the petitioner from the suit land till the

disposal of the said LGC No.167 of 1997 on the file of the Special Court constituted under the provisions of A.P. Land Grabbing (Prohibition) Act. No costs. Petitioner shall not make any constructions.

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V.ESWARAIAH, J.

Date:17.09.2007
ccm